

**NOTICE OF DECISION  
TYPE I TEMPORARY USE PERMIT**

**DATE:** October 31, 2022

**FILE NO.:** 22-046 TEMP

**APPLICANT:** BDK Boardshop

**OWNER:** Mitch Paola

**LOCATION:** 39090 Pioneer Blvd.

**TAX MAP and LOT:** 24E13CA06300

**FINDINGS OF FACT**

1. On October 27, 2022, the applicant submitted payment, a Temporary Use Permit application, and a site plan, requesting temporary use permit approval to hold a one-day event hosting a video premier in their rear parking lot. The event will take place at BDK Boardshop located at 39090 Pioneer Blvd.
2. The show is proposed for Friday, November 4, 2022, from 7:00 p.m. to 10:00 p.m. If weather is not permitting on the 4th of November, the applicant also proposed Saturday, November 5, 2022, Friday, November 11, 2022, and Friday, November 18, 2022.
3. The applicant indicates that the event for the video premier will be located in the rear parking lot of 39090 Pioneer Blvd. as indicated in the submitted site plan.
4. The applicant provided an email from property owner Mitch Paola who approved the applicant's request to hold a video premiere event in the back parking lot on Friday November 4, 2022, as shown in the submitted site plan. Mr. Paola also approved the additional dates listed above if weather is not permitting.
5. The site is zoned C-1, Central Business District and is located in downtown Sandy, sitting south of Pioneer Blvd., and west of Hwy 211.
6. The applicant estimates around fifty (50) patrons and proposes no tents, chairs, food, or heating elements.
7. On October 31, 2022, City staff received the following comment from the Sandy Fire District No. 72 Fire Marshal, Gary Boyles:  
A) The applicant must make sure that exiting from the businesses to the back parking lot are to be maintained free of any obstructions.

## **DECISION**

The proposed Temporary Use Permit is in general conformance with the standards of the Sandy Development Code, Chapter 17.74.60, and is therefore **approved**, subject to the conditions of approval below.

## **CONDITIONS OF APPROVAL**

1. The applicant is permitted to use the subject property at 39090 Pioneer Blvd. for the Temporary one-day video premier event in their rear parking lot on Friday, November 4, 2022, from 7:00 p.m. to 10:00 p.m. If Friday November 4, 2022, is not possible due to inclement weather, the applicant is permitted to use Saturday, November 5, Friday, November 11, or Friday, November 18, 2022, as an alternative day for their event.
2. Per the Sandy Fire District No. 72 Fire Marshal, Gary Boyles: The applicant must make sure that exiting from the businesses to the back parking lot are to be maintained free of any obstructions.
3. The subject property shall be returned to pre-event condition on Saturday November 5, 2022, or the day following the event if it's held on one of the alternative days listed above.
4. All existing drive aisles in the parking lot shall be kept clear to allow vehicular movement.
5. The proposed use shall be monitored to ensure there is no disruption of traffic on Pioneer Blvd. and in the rear parking lot of the adjoining businesses.
6. The event shall comply with Section 8.20 of the Municipal Code regarding noise and amplified music. Any noise associated with this event shall be turned off by 10:00 p.m.
7. The applicant is responsible for complying with Chapter 15.32 for all signage. No signage shall be allowed without first obtaining a sign permit.
8. This Temporary Permit may be revoked by the City if conditions of approval are not met. Approval of this Temporary Permit does not grant authority for the unrestricted use of the site.
9. Any other conditions or regulations required by Clackamas County, Fire District No. 72, and the Oregon Department of Transportation, or County, State or Federal agencies are hereby made a part of this permit and any violation of the conditions of this approval will result in the review of this permit and/or revocation.



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Kelly O'Neill Jr.  
Development Services Director

## **RIGHT OF APPEAL**

A decision on a land use proposal or permit may be appealed to the Planning Commission by an affected party by filing an appeal with the Director within 12 days of notice of the decision. The notice of appeal shall indicate the nature of the interpretation that is being appealed and the matter at issue will be a determination of the appropriateness of the interpretation of the requirements of the Code.

An application for an appeal shall contain:

1. An identification of the decision sought to be reviewed, including the date of the decision;
2. A statement of the interest of the person seeking review and that he/she was a party to the initial proceedings;
3. The specific grounds relied upon for review;
4. If de novo review or review by additional testimony and other evidence is requested, a statement relating the request to the factors listed in Chapter 17.28.50; and
5. Payment of required filing fees.